

Class 705 Template Review

Serial No: 09/476674 Date Returned to SPE:
Art Unit: 1648 Date Reviewed: 3/24/05

SPE Initials Reviewer Comment
If Agree

1. Reasons for Allowance:

- Y
- Y
- Y

Clear statement of Reasons for Allowance
Indicate how claims distinguish over the closest prior art
Claim groups of differing scope having a separate RFA

Comments:

2. Search Areas and Tools:

- N
- Y?
- Y?
- Y?
- —

US Classified Search
US Patents Text Search - EAST/WEST and/or STN USPATFULL
Foreign Patent Documents – WEST/Derwent WPI and/or Epoque II
NPL Search – PTO NPL, Dialog, STN, etc.
Internet Sites – (optional)

Comments:

SEE ATTACHED

3. Search Query:

- Y
- Y
- N

Text Search – Strategy to search concepts/key words
Separate strategies for each search area (US, Foreign, NPL)
Recordation of Search in file wrapper with annotation

Comments:

SEE ATTACHED

4. Reference Citations:

- Y
- Y

Best art in each category (US, Foreign, NPL) listed on 892 or 1449
Clear indication of why the reference was cited

Comments:

- N
- Y
- A

5. Other Problems:

Sensitive Application Warning system issues
Broad claims
35 USC 101 Issues, including “not in the technological arts”.

Comments:

SEE ATTACHED

Please Complete and Return This Sheet To The QAS Box After Disposition

Must be within 2 weeks of receiving QAS comments

Disposition Date: _____



Disposition: _____
(circle one) ⇒

Reopened

Sent to Pubs

Other Explain: _____

SN 09/476,674

Tim,

2) Search Areas and Tools:

Since this is directed to cellular information subscription I suggest talking to someone in class 455, they have some subs toward the top of their schedule dealing with program or information distribution in wireless networks. Further, sending of previews for digital works in computer systems can be found in 705/51+, see John Hayes.

The US text searches did not include PGPubs.

The foreign text searches did not include the JPO file.

The Dialog searches did not use all the core Dialog files.

3) Search Query:

Several of the search queries were not annotated.

5) Other Problems:

Re. "broad claims", the reasons for allowance emphasize in part that the offer being transmitted with a portion of the text being offered. This is done in more conventional computer systems to provide previews, again see John Hayes for a search in 705/51+. The reasons for allowance also emphasize in part that the download is sent to the user when the text corresponds to user-specific information. This is conventional targeted marketing of sending to a user offers that match their profile. Finally, the reasons for allowance emphasize that this is being done on a cell phone. While the above techniques are standard over other types of networks, the question is would it have been obvious to apply these known techniques over a cell phone network. See the attached Dialog article, "Bell Atlantic to Deploy Wireless Application Protocol..." which teaches the use of a 'micro-browser' to basically turn a cell phone into a handheld Internet terminal and allow it to receive email and information like news, weather, sports. Given that technology to use a cell phone on the Internet and the intent to distribute information as in the Bell Atlantic article, it would have been obvious to apply other known Internet content distribution and advertising techniques to the cell phone network.

Any questions, please stop by.

Bob Weinhardt

CPK5 7A13

3/24/05

